

BRIGETTE K. SMITH  
Executive Secretary



KEN BOAD  
Board Chair

STATE OF WASHINGTON  
**BOARD FOR VOLUNTEER FIREFIGHTERS & RESERVE OFFICERS**  
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January 21, 2011

The 226<sup>th</sup> regular meeting of the Board for Volunteer Firefighters and Reserve Officers was convened at 9:00 A.M. in Suite #1207 in the James R. Larson Forum Building by Chair Ken Boad, with Board Member Jay Hughes, Board Member Mark Watenpaugh, Board Member Miland Walling, Board Member Martin Spani, Assistant Attorney General Kyle Crews, Actuarial Analyst Kyle Stineman, Actuarial Analyst Lisa Wan, Confidential Secretary Danice Ragland, and Executive Secretary Brigitte Smith present. Assistant Attorney General Kyle Crews appeared by phone.

The Board reviewed the October 15, 2010 Regular Meeting Minutes. It was moved by Watenpaugh, seconded by Hughes, and carried that the minutes be approved with a correction of the name Spani.

The agenda was reviewed and a discussion regarding the relief valuation with the Office of the State Actuary was added under old business, and a discussion regarding a request to allow David Smith, San Juan County Fire District #3, to buy back refunded fees for the years 1993-1995, 2001, and 2002 was added under new business.

FIRST HEARING OF THE PUBLIC

No public was present.

OLD BUSINESS

Lisa Wan and Kyle Stineman, from the Actuary's Office, updated the Board on the progress of the Relief Valuation. They have completed the assumption setting and worked with a private firm, Milliman, to review the assumptions. After their review, Milliman recommended no changes because they believed the Actuary's Office's assumptions to be on target. They did recommend that the Actuary gather a little more data, however, and the actuaries will work with Ms. Smith to gather the additional data. They are hoping that they will have some preliminary data to the Board at the April meeting, and that the valuation can be completed in time for the July meeting. In trying to complete the valuation, the Actuary's Office would like the Board's input on a couple of questions. The Actuary wanted to know the Board's goals regarding the valuation. Was the Board hoping to completely pre-fund the relief benefits, partially pre-fund the relief benefits, or was the valuation going to be used for information only? They also wanted to know who was going to pay the costs for the relief. Would it continue to be the departments, would it be the firefighters, or a combination of both? Finally, the Actuary's Office was hoping to get an understanding of the distribution of the funds. After much discussion, the Board said that the Fire Insurance Premium Tax was intended to be used by both the pension and the relief, and that the employer should pay the full cost of the relief. The Board requested that the Actuary's Office price out several different pre-funding options for the Board to consider. It was agreed that the Board would like to move to a pre-funding model, but it may want to take gradual steps to achieve pre-funding rather than doing it all at once. The actuaries said they would prepare several options for the Board to review at its April meeting.

The Board took a small break between 9:25 and 9:30 while Secretary Smith arranged for Assistant Attorney General Kyle Crews to join the meeting telephonically.

Chairman Boad called an executive session at 9:30 am until 10:15 am to discuss litigation with AAG Crews. AAG Crews left the meeting upon completion of the executive session.

## NEW BUSINESS

Secretary Smith reviewed the legislation introduced or likely to be introduced that could affect the agency. Currently, there is no legislation that would eliminate or merge the agency. So far, all budget bills show the expected spending authority cuts.

**SB 5160** – This bill would increase the one-time LODD payment from \$152,000 to \$214,000. The Board does not have any concerns regarding this bill.

**SB 5365** – This bill would allow members to buy back pension payments prior to the first pension payment made into the system. Members would have to pay the full actuarial cost to buy back the payments.

**SB 5284 / HB 1374** – This bill would require state agencies to use private collections agencies to collect any outstanding debts owed to the agencies. While Secretary Smith understands the importance of collecting debts, and the agency works to recover any overpayments made, she expressed some concern that there did not appear to be any minimum debt amounts. In theory, the agency could be required to send a 90 year old widow with a \$5 debt to collections.

**Administrative Volunteers / Expanding the Firefighter Definition** – The Washington State Firefighter's Association (WSFFA) is taking the lead on these bills. Because of the economy, it is hard to find legislators to sponsor the bill. It looks like the administrative volunteer bill may not be introduced this session, but things are looking a little more positive for the firefighter definition expansion. Secretary Smith will remain in contact with Tamara Wanke, the lobbyist for the WSFFA, and help wherever possible.

The Board reviewed a request for Board reconsideration of the Staff's decision to deny a claim for Dustin Wilson, Jefferson Co. FPD #3 on the basis that the claim was not filed within the required 90 day period. Mr. Wilson's accident occurred on June 21, 2010, and the first written notification of the accident that the board staff received was on November 1, 2010. Ms. Cray, Administrative Assistant, submitted a letter stating that she completed the paperwork immediately and the bill for the ER was approved and mailed in July along with the voucher and injury report. The Board asked Secretary Smith whether an accident card had been received. Secretary Smith stated that it was not received. After reviewing RCW 41.24.210 that states that "A claim... shall not be allowed by the state board unless there has been filed with it a report of accident within ninety days..." it was moved by Hughes, seconded by Spani, and carried that the Board deny the payment of claims for Dustin Wilson's June 21, 2010 fire service accident. Secretary Smith was directed to explain to the department that the law is very specific that claims received later than 90 days after an accident cannot be allowed under the law.

The Board reviewed a request from San Juan Co. FPD #3 to allow David Smith to buy back pension payments for the years 1993-1995, 2001, and 2002 that were refunded to him. Carolyn Hudson, Administrative Assistant, stated that they received information around 2001 or 2002 that indicated that non-combat firefighters were not allowed to participate in the BVFF. Since Mr. Smith did not enter into burning buildings, and his normal duties only included tender operation, the district determined that he was not eligible for BVFF participation and a refund of the fees paid in error was requested. Secretary Smith presented the Board with a letter that was written by Kitsap Co. FPD #7, on August 2, 2000, that stated that it was their belief that the BVFF would not cover "non-combat" firefighters. This letter was sent to all fire departments throughout the state. This letter seemed to support the district's position. However, the Board also reviewed the original invoice vouchers that were submitted asking for the refunds. The Board noted that the first voucher was submitted in 1996, prior to the letter in 2000. A letter from Glen Potter, Fire Chief, submitted with the invoice voucher, stated that Mr. Smith resigned from the department along with another firefighter. The second refund was given in 2003 after an invoice voucher was received that indicated that Mr. Smith was again resigning from the department. After reviewing the documentation, it was motioned by Spani, seconded by Hughes, and carried that David Smith is not allowed to make up the payments for the years 1993-1995, 2001, and 2002.

Secretary Smith talked to the Board about working jointly with Labor and Industries, Washington State University (WSU), the Fire Protection Bureau, the Washington State Council of Fire Fighters, and the BVFF & RO to conduct a study regarding the correlation between firefighter training and firefighter injuries. WSU would apply for a federal Assistance to Firefighters Grant, with letters of support from all agencies involved, and see if the federal government would provide grant money to help offset the labor and IT costs for the project. If awarded a grant, WSU would then contract with the individual agencies to provide the service and data needed to complete the study. By doing so, WSU would be responsible for all federal reporting and the agencies would not have to worry about it. Secretary Smith would like the Board to support the

effort and sign a letter of support to be included with WSU's grant application. Members of the Board stated that they were happy to support any effort that could result in better firefighter safety and training. The members all signed a letter of support that Secretary Smith had prepared.

The Board reviewed Pension Participation Exemptions submitted since the last meeting. It was moved by Walling, seconded by Hughes, and carried, that the following members be granted exemptions:

- Mary C. Hollowell, Grant Co. FPD #10 for the period of 2/1/10 through 4/30/2010
- Julie Franks, Grays Harbor FPD #2 for the period of 1/1/10 through 3/31/10

The Board reviewed the following service level agreement(s) and contract(s) entered into by Secretary Smith:

- Technology Solutions Group
- Judge Richard Strophy

The Board reviewed Secretary Smith's leave and pay records.

The Board reviewed and approved (Walling moved, Hughes seconded) the administrative expenditure vouchers numbered (2261 through 2313) and various travel vouchers.

There was a motion by Hughes, seconded by Walling, and carried that the retirement pensions and lump-sum settlements listed below be approved effective on the listed dates (Boad abstained from the vote on Gary L. Crawford's, James Goenen's, and Eugene Guilford's papers because of potential conflicts, Hughes abstained from the vote on Jerry B. Burton's and Michael Gentry's papers because of potential conflicts, and Martin Spani abstained from the vote on David Nufzinger's papers because of potential conflicts.)

		<u>Effective Date</u>	<u>Amount</u>
Aguirre, Jr., Pete A.	Sunnyside	10/21/09 J/S	69.39
Babbitt, Charles M.	Farmington	12/10/10	85.50 @ age 60
Barrett, Robert W.	Jefferson #1	12/15/10	3,389.68 Lump
Basim, William E.	King #28	2/18/11	252.00 @ age 63
Benner, Darrel J.	Okanogan #2	1/01/11 J/S	246.90
Black, Iris E.	Pierce #18	7/22/10	170.10 @ age 63
Bold, Edmund P.	San Juan #5	6/23/10	120.00
Boob, Wayne L.	Yakima #5	1/06/11	300.00
Booker, Douglas	Darrington #24	9/21/10 J/S	200.59 @ age 63
Bower, William	Riverside FA	1/04/11 J/S	196.32
Brazitis, Stephen P.	Kittitas Valley	8/29/10	73.50
Brendel, Paul M.	Buckley	1/13/11	220.40 @ age 62
Brenno, Barbara J.	Vashon Island	2/15/09	3,080.55 Lump
Brenno, Melvin G.	Vashon Island	2/14/09	5,005.89 Lump
Bumgarner, Denver	Skagit #8	1/18/11	131.10 @ age 62
Burns, Rudolph O.	Monroe	1/24/09	3,520.62 Lump
Burton, Jerry B.	Spokane #4	2/01/09	3,960.70 Lump
Burton, Ronald G.	Lewis #5	5/01/10	228.00 @ age 62
Caldwell, Tracy	Thurston #3	10/10/09	2,465.79 Lump
Campbell, Terry L.	Goldendale	2/07/11	252.00 @ age 63
Carpenter, Bruce	Pierce #4	1/27/08	4,822.80 Lump
Cassetto, K. Mike	Pomeroy	12/12/10	3,609.61 Lump
Conkey, Richard E.	Clark Co. F&R	6/09/10	3,116.71 Lump
Courtney, Michael J.	White Salmon	12/19/10 J/S	165.65 @ age 61
Crawford, Gary	Whatcom #8	12/31/10	136.00 @ age 61
Crocker, Dave	Whatcom #2	12/12/10	3,609.62 Lump
Crowder, Tom W.	Snoqualmie	5/21/10	153.90 @ age 62
Davis, Rodney	Stevens #1	2/11/09 J/S	56.13
Depew, Clair J.	Franklin #2	8/31/09	70.00

Dewane, James W.	Klickitat #7	10/15/10	73.50	
Dunning, Carol J.	Pierce #21	2/27/09	3,609.61	Lump
Eisses, Jack W.	Skagit #2	1/11/11	300.00	
Fichtenberg, Bernard J.	Spokane #9	1/07/11	300.00	
Gentry, Michael	Spokane #4	1/01/11	228.00	@ age 62
Giesen, Jerry M.	Black Diamond	1/11/09	3,300.58	Lump
Gingrich, Benjamin	Enumclaw	2/03/09	3,520.62	Lump
Goenen, James	Whatcom #8	10/18/10	156.00	@ age 60
Goodwin, John D.	McCleary	12/1/10	228.00	@ age 62
Greenough, Charles F.	Yakima #4	1/17/11	228.00	@ age 62
Griggs, Sr., Marcus J.	Douglas #4	12/1/10	195.00	
Griner, Wesley H.	Whitman #3	10/31/10	197.60	@ age 62
Guard, James L.	San Juan #3	11/1/10	202.50	
Guilford, Eugene G.	Ocean Shores	11/10/10 J/S	129.62	@ age 63
Gustafson, Warren C.	Pierce #5	11/25/10	252.00	@ age 63
Haddon, Jr., James C.	Oak Harbor	10/17/10	217.50	
Hagen, Judith E.	Kirkland	1/14/11	70.00	
Hamilton, Raymond E.	Lincoln #4	11/1/10 J/S	245.40	
Hamilton, Wayne	Spokane #11	5/19/10	5,053.46	Lump
Harniss, Roy O.	Clallam #3	10/5/10 J/S	156.20	
Hartman, James W.	Woodinville	1/24/11	73.50	
Hickman, Larry	Mount Vernon	1/01/11	252.00	@ age 63
Holcomb, Danny C.	McCleary	11/23/10	228.00	@ age 62
Holyan, Michael J.	South Prairie	7/10/10	4,468.83	Lump
Horlacher, Stanley J.	Spokane #12	10/27/10	197.60	@ age 62
Horton, Harold R.	Yakima #6	10/1/10 J/S	252.30	
Hutcheson, Rita	Thurston #4	7/14/10	300.00	
Ives, Jr., Gerald	Lincoln #7	10/19/10	228.00	@ age 62
Johnson, Kenneth W.	Kent	6/30/10	2,921.91	Lump
Kimm, Mark H.	Sunnyside	12/5/10 J/S	189.01	@ age 62
Kirsten, Theo	Thurston #2	10/25/09	117.00	@ age 60
Kohl, James W.	Yakima #6	10/1/10	300.00	
Krell, David E.	Spokane #12	10/7/10	280.00	
Kukes, Allen P.	Yakima #5	11/15/10 J/S	64.81	@ age 62
Kullman, Armin	Hartline	12/16/10	3,609.61	Lump
Lawrence, Ernest J.	Thurston #2	5/08/10	117.00	@ age 60
McNett, Edward	Grays Harbor #14	5/25/10 J/S	148.14	@ age 60
Messick, Herb	Pacific #2	11/15/10 J/S	186.50	@ age 62
Miller, Phyllis J.	Grays Harbor #4	7/22/09	142.50	
Mindrup, Ronald J.	Spokane #3	11/18/10 J/S	238.80	
Monoian, David	Yakima #6	10/1/10	300.00	
Monty, Marvin D.	Arlington	9/13/10	63.84	@ age 62
Morasch, Gregory W.	St. John	6/23/10	121.50	@ age 60
Naff, Rick	Colville	12/25/10 J/S	147.24	@ age 60
Nofziger, David	Spohomish #1	11/20/10	300.00	
Norman, Hal	Long Beach	10/26/10	187.50	
Norton, Bill	Whatcom #19	5/20/10 J/S	172.83	
Olstead, Halvar E.	Whatcom #7	9/19/10	204.00	@ age 61
Ott, Curtis W.	Stevens #5	1/01/11	300.00	
Ramsey, Kenneth	Long Beach	12/28/10	180.00	@ age 60
Riplinger, Michael J.	Cent. Kitsap	12/3/10	300.00	
Romero, Michael J.	Pierce #5	9/13/10	3,895.88	Lump
Schafer, Tom L.	Grant #5	11/15/10	6,528.33	Lump
Simpson, Jim D.	Yakima #3	1/01/11	300.00	
Steffens, Carol (Robert)	Electric City	8/20/10 SURV	179.50	
Stevens, Steven D.	Spokane #10	2/03/09	1,980.35	Lump
Suttle, Joanie	South Pend Oreille	10/1/10	2,486.98	Lump

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Teeple, Terry	Pierce #5	10/12/10 J/S	246.90
Thompson, John T.	Yakima #3	10/29/10	290.00
Vanburen, Grant A.	Lincoln #5	2/10/11	228.00 @ age 62
Vik, Mark E.	Wahkiakum #1	1/30/11 J/S	231.30
Visnaw, R. Kent	Carbonado	5/09/09	230.00
Wime, Vernon J.	Ephrata	1/11/09 J/S	195.40 @ age 62
Wingen, Dave	Skagit #9	10/11/10	195.00
Woods, Mike	Klickitat #5	10/10/10	300.00
Workman, Leonard W.	Lewis #3	1/13/09	2,420.43 Lump

SECOND HEARING OF THE PUBLIC

No public was present to speak.

There was a motion by Hughes, seconded by Watenpaugh, and carried that the meeting be adjourned at 11:30 a.m.

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Brigette K. Smith, Executive Secretary